

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MONICA MCQUEEN, individually and on behalf of all others similarly situated,	:	
	:	
	:	
Plaintiff,	:	
	:	Civil Action No. 12-6674 (SRC)
v.	:	
	:	ORDER
BMW OF NORTH AMERICA, LLC, and	:	
BAYERISCHE MOTORENWEKE	:	
AKTIENGESELLSCHAFT	:	
	:	
Defendants	:	
	:	
	:	

CHESLER, District Judge

This matter having come before the Court on the motion by Defendant BMW of North America, LLC (“BMW NA”) to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6); and Plaintiff Monica McQueen having opposed the motion; and the Court having considered the papers filed by the parties and opted to rule based on the written submissions and without oral argument, pursuant to Federal Rule of Civil Procedure 78; and for the reasons expressed in the Opinion filed herewith,

IT IS on this 29th day of August, 2013

ORDERED that BMW NA’s motion to dismiss the Complaint be and hereby is **GRANTED**; and it is further

ORDERED that the Complaint be and hereby is **DISMISSED WITHOUT PREJUDICE**; and it is further

ORDERED that this action shall remain open and not be marked as closed by the Clerk of the Court until further Order of this Court; and it is further
ORDERED that the Plaintiff shall have 30 days from the date of this ruling to amend the Complaint.

s/ Stanley R. Chesler

STANLEY R. CHESLER, U.S.D.J.